

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Owen Godshall	Team: Squad #15	CCRB Case #: 202003822	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 05/31/2020 11:30 PM	Location of Incident: Over the internet	Precinct:	18 Mo. SOL 11/30/2021	EO SOL 5/4/2022	
Date/Time CV Reported Mon, 06/01/2020 12:55 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 06/01/2020 12:55 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Edward Mullins	01771	876768	DBBS OP

Officer(s)	Allegation	Investigator Recommendation
A.SGT Edward Mullins	Abuse: Sergeant Edward Mullins disseminated information regarding § 87(2)(b) s arrest.	

## Case Summary

On June 1, 2020, § 87(2)(b) filed this complaint with the CCRB via the website. On June 1, 2020, § 87(2)(b) filed a duplicate complaint with the CCRB via the website.

At approximately 10:30 p.m. on May 30, 2020, § 87(2)(b) was arrested during a protest against police violence. At approximately 11:30 p.m. on May 31, 2020, Sergeant Ed Mullins, the president of the Sergeants' Benevolent Association (SBA), made a post to the SBA's verified Twitter account, @SBANYPD, that included a screen shot of § 87(2)(b)'s arrest report. The image included § 87(2)(b)'s personal information, including her date of birth and address (**Allegation A: Abuse of Authority – Other, § 87(2)(g)**). Sergeant Mullins' post was subsequently deleted but has been documented and discussed in several news articles (Board Review #01-04).

Due to media attention, this case was added to the agency's list of sensitive cases.

## Findings and Recommendations

### Allegation (A) Abuse of Authority: Sergeant Edward Mullins disseminated information regarding § 87(2)(b)'s arrest.

It is undisputed that § 87(2)(b) was arrested during a protest on May 30, 2020 (Board Review #05).

At approximately 11:30 p.m. on May 31, 2020, Sergeant Mullins made a post to the SBA's Twitter account, stating, "How can the NYPD protect the city of NY from rioting anarchist when the Mayors object throwing daughter is one of them. Now we know why he is forbidding Mounted Units to be mobilized and keeping the NYPD from doing its job." Attached to this message was a picture of § 87(2)(b)'s arrest report. The report listed § 87(2)(b)'s personal information, including her address and date of birth. The report was not redacted in any way (Board Review #06). Sergeant Mullins' post was taken down by Twitter because it violated their policies. The content of the post was preserved via screen shot and was subsequently disseminated in the media.

On August 5, 2020, the SBA's General Counsel, Adam Quinn, sent the CCRB a letter in which he stated that Sergeant Mullins only posted the image of the arrest report after an investigative reporter, § 87(2)(b), posted the same image to Twitter first. The letter included screenshots of § 87(2)(b)'s post, as well as another post that § 87(2)(b) made later remarking that the image posted by Sergeant Mullins was the same that he had posted earlier (Board Review #07).

The investigation reached out to Sergeant Mullins through Mr. Quinn and offered him an opportunity to make a statement about the incident. During a conversation with Executive Director Jon Darche on September 25, 2020, Mr. Quinn stated that Sergeant Mullins declined to provide a statement to the CCRB.

While Sergeant Mullins is the head of the SBA, he is still an active member of the NYPD. He receives an NYPD salary separate from any SBA salary (Board Review #08-09). He is therefore is still subject to the rules and regulations of the Patrol Guide as any other member of the service.

NYPD Patrol Guide procedure 200-02 states that the department is committed to accomplishing its mission of protecting the lives and property of New York City by treating every citizen with compassion, courtesy, professionalism and respect. Officers must maintain a higher standard of

integrity than is generally expected of others. Officers must respect the dignity of each individual and render services with courtesy and civility (Board Review #10).

NYPD Patrol Guide procedure 203-22 states that when accessing information obtained from the department's information systems, an officer may only disclose that information as required in the lawful execution of their duty. They are also required to maintain the confidentiality of that information (Board Review #11).

§ 87(2)(g)

### **Civilian and Officer CCRB Histories**

- This is the first CCRB complaint to which § 87(2)(b) or § 87(2)(b) has been a party (Board Review #12).
- Sergeant Mullins has been a member of the service for 38 years and has been listed as a subject officer in three previous CCRB complaints and three allegations, none of which were substantiated.

### **Mediation, Civil and Criminal Histories**

- This complaint was not eligible for mediation.
- A Notice of Claim request was submitted to the NYC Office of the Comptroller on September 30, 2020. The results will be included in the case file upon receipt.
- According to the Office of Court Administration, neither § 87(2)(b) nor § 87(2)(b) has a history of criminal convictions in New York City (Board Review #13-15).

Squad No.: 15

Investigator:	<u>Owen Godshall</u>	<u>Inv. Owen Godshall</u>	<u>10/21/2020</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Simon Wang</u>	<u>IM Simon Wang</u>	<u>01/13/2021</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date